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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Hellig, et al.

Title: **SYSTEM FOR FORMING A SEMICONDUCTOR DEVICE AND METHOD THEREOF**

App. No.: 10/058,854

Filed: 01-28-2002

Examiner: Dickey, Thomas L.

Group Art Unit: 2826

Atty. Dkt. No. 1458.TT4962

#4/Election  
PATENT  
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Terri Alloway Typed or Printed Name	<u>Terri Alloway</u> Signature

Assistant Commissioner for Patents

Washington, D.C. 20231

**RESPONSE TO EXAMINER'S RESTRICTION REQUIREMENT**

Dear Sir:

**REMARKS**

The Office has restricted the claims 1-14 of this application into Groups I (6-14) and II (1-5).

Applicants elect the claims of Group I (6-14) and provisionally withdraw the non-elected claims of Group II. The restriction is respectfully traversed in order to preserve the issue for subsequent petition since the examination of all of the claims 1-14 does not create an undue burden on the Office and that the subject matter among the groups is not independent and distinct as required by statute. Furthermore, different classifications as recited by the Office are not in and of itself adequate grounds for restriction since the Office has historically allowed many applications containing (method and apparatus system) claims in one patent application.

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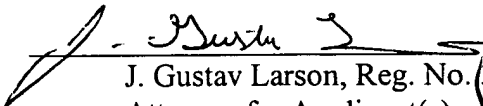
The Applicants further disagree with the characterizations relied on by the Office to support distinctness of the groups.

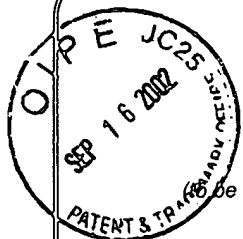
In summary, Applicants have elected the claims of Group I for further prosecution and provisionally withdrawn the non-elected claims from consideration. Reconsideration and further prosecution on the merits of at least claims in Group II is respectfully requested.

Respectfully submitted,

9-11-02

Date

  
J. Gustav Larson, Reg. No. 39,263  
Attorney for Applicant(s)  
Simon, Galasso & Frantz, PLC  
P.O. Box 26503  
Austin, Texas 78755-0503  
(512) 336-8957 (phone)  
(512) 336-9155 (fax)



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number 10/058,854

Filing Date 01/28/2002

First Named Inventor Hellig, et al.

Group Art Unit 2826

Examiner Name Thomas L. Dickey

Total Number of Pages in This Submission 3

Attorney Docket Number 1458.TT4962

## ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declaration(s)

☐ Extension of Time Request

☐ Express Abandonment Request

☐ Information Disclosure Statement

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/Incomplete Application

☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

☐ Assignment Papers (for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a Provisional Application

☐ Power of Attorney, Revocation Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) \_\_\_\_\_

☐ After Allowance Communication to Group

☐ Appeal Communication to Board of Appeals and Interferences

☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify below):

Return Receipt Postcard

Response to Restriction Requirement

Remarks

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

J. Gustav Larson, Reg. No. 39,263

Signature

*J. Gustav Larson*

Date

9-11-02

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Terri Alloway

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*Terri Alloway*

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